

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ADRIAN McCRAY,

Plaintiff

v.

H&R BLOCK EASTERN ENTERPRISES,  
INC. and LINDA MURPHY,

Defendants

Civil Action No. 04-CV12232-PBS

**JOINT MOTION FOR 30 DAY EXTENSION OF DISCOVERY PERIOD**

The parties to the above-captioned case respectfully request a 30-day extension of the discovery period established by this Court's Scheduling Order of December 15, 2004 ("Scheduling Order"), with corresponding extensions of the dates by which summary judgment motions must be filed and heard. As grounds for this motion the parties state:

1. In an effort to facilitate the mediation that was originally scheduled to occur on June 15, 2005, the parties agreed to a limited amount of discovery to occur before the mediation, including both paper discovery (interrogatories and document requests served and responded to by each party), the deposition of plaintiff McCray (which has not been completed), and the deposition of defendant Murphy.

2. As a result of an unanticipated medical situation of the mediator, the mediator cancelled the June 15 mediation session. After conferring with the mediator and counsel on their availability, the Court Clerk rescheduled the mediation for July 7, 2005. The parties were unable to settle the case at the July 7 mediation.

3. Since the failed mediation, the parties have diligently attempted to complete discovery. They believe an additional thirty-days beyond the current discovery deadline of September 15, 2005, is all they would require to complete discovery.

4. This is the first request for an extension of the discovery period made by the parties and they do not anticipate needing further extensions for discovery. The case has not been scheduled for trial, and the allowance of the brief extension requested by this motion will not unduly interfere with or delay the timely disposition of the matter.

WHEREFORE, the parties request that this Court extend the dates of the Scheduling Order as follows:


Fact Discovery Deadline	October 14, 2005
Summary Judgment Motion Filing Deadline	November 15, 2005
Oppositions to Summary Judgment Motions:	December 1, 2005
Hearing On Summary Judgment or Pretrial Conference	(To be determined by Court)

ADRIAN McCRAY

H&R BLOCK EASTERN ENTERPRISES, INC.  
and LINDA MURPHY

By his attorney,

By their attorneys,

/s/ Paul A. Manoff   
Paul A. Manoff, Esq. (BBO #318220)  
47 Winter Street  
4<sup>th</sup> Floor  
Boston, MA 02108

/s/ Adrienne M. Markham  
Adrienne M. Markham, Esq. (BBO #320740)  
Jennifer Belli, Esq. (BBO #660278)  
GOULSTON & STORRS  
400 Atlantic Avenue  
Boston, Massachusetts 02110-3333  
(617) 482-1776

Dated: August 16, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by (mail/hand) on August 16, 2005

